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ABSTRACT

This pamphlet contains guidelines for educational institutions that offer training to veterans and certain dependents and survivors of veterans, to keep them in compliance with present laws and regulations. Its intended audience includes veterans, schools, Department of Veterans' Affairs, Veterans' Administration (VA), and state approval officials. Information is provided that should be helpful in the normal day-to-day problems that arise in schools in connection with the G.I. programs. Section I presents information applicable to noncollege degree schools. Topics include approval procedures, use of VA forms, schedules and clock-hour measurement, 85-15 percent ratio requirement, extensions, and approval information. Section II provides these types of information for institutions of higher learning: approval procedures, criteria of approval, program of education, prior credit, attendance, and keeping approval updated. In section III is found information on other topics such as VA counseling, school liability, supervisory visits, compliance surveys, examination and retention of records, entitlement and delimiting dates, nontraditional courses, and criteria for schools approved as accredited and nonaccredited. Section IV provides information on miscellaneous topics, including television courses and Educational Assistance Allowance. An index to VA Education Regulations is attached. (YLB)

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KEEPING YOUR SCHOOL IN COMPLIANCE WITH VETERANS' ADMINISTRATION AND APPLICABLE STATE LAWS AND REGULATIONS

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W. Lee Smith, Director
Bureau of Veterans' Education and Training

Eugene C. Hanchey, Assistant Superintendent
Office of Auxiliary Programs

Dr. Thomas G. Clausen
Superintendent of Education

U.S. DEPARTMENT OF EDUCATION
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THOMAS G. CLAUSEN
Superintendent of Education

P O Box 44064
Baton Rouge, LA 70804
1-800-272-9872

July 1, 1984

As Superintendent of Education, I have become acquainted with the work accomplished by the Bureau of Veterans' Education and Training. In their work of inspecting, approving, and supervising schools, staff members constantly strive to ensure that veterans and dependents receive quality education along with the monthly training allowance paid by the Veterans' Administration.

The original Bulletin 1553, Keeping Your School in Compliance with Veterans' Administration and Applicable State Laws and Regulations, was published September 1, 1979. A supplement was issued January 1, 1982, to reflect changes. Since then there have been many changes in the laws, regulations, and policies; therefore, the bulletin has been revised.

My staff and I believe that this publication will be essential to veterans, schools, Department of Veterans' Affairs, Veterans' Administration, and state approval officials in administering the G. I. training programs. I wish to thank all who have cooperated with the Bureau of Veterans' Education and Training in making it possible for the Department of Education to accomplish the tasks as stipulated under the law.

Thomas G. Clausen

Thomas G. Clausen, Ph.D.

"An Equal Opportunity Employer"

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FOREWORD

Educational institutions that offer training to veterans and certain dependents and survivors of veterans must comply with Veterans' Administration laws and regulations and applicable State laws in order for veteran students to receive the educational training allowance to which they are entitled.

Periodically, since 1976, joint meetings or workshops of school, Veterans' Administration, and State Approving Agency officials have been held to discuss the laws, regulations, and mutual problems. Following these meetings, a summary of pertinent points discussed and agreements reached was prepared and furnished all participants, as well as schools that failed to send a representative.

This revised Education Bulletin dated July 1, 1984, supersedes the original Education Bulletin 1553 (orange book) dated September 1, 1979, and the supplement thereto dated January 1, 1982.

You will be advised of pertinent changes by the VA and/or SAA resulting from future changes in the law and regulations. The information is to be used as a guideline.

DEFINITIONS

A. VETERAN - A person who served on active duty in the armed forces more than 180 days, any part of which occurred after January 31, 1955, and who was discharged under conditions other than dishonorable.

B. SERVICEMAN - A person who is still on active duty if he entered service prior to January 1, 1977. (See E-2 below.)

C. DEPENDENTS - A child or wife/widow of veteran who:

1. Died of a disability resulting from, or in, service; or, if living,
2. Has a service-connected disability, permanent and total in nature resulting from service.

D. STATE APPROVING AGENCY (SAA) - The Louisiana State Department of Education (Address: Bureau Director, Veterans' Education and Training, P. O. Box 94064 Baton Rouge, LA 70804-9064 Telephone: 504/342-3553)

E. TITLE 38, U. S. C. - The laws administered by the Veterans' Administration providing benefits to veterans, servicemen, and dependents. Published by the Superintendent of Documents, Washington, D. C. The chapters pertaining to rehabilitation and education and training are:

1. Chapter 31 - Provides rehabilitation for certain veterans with a service-connected disability.
2. Chapter 32 - Provides educational and training benefits to veterans who entered service after December 31, 1976.
3. Chapter 34 - Provides educational and training benefits to veterans of the post-Korean conflict and Vietnam era and service personnel.
4. Chapter 35 - Provides educational and training benefits for certain survivors and dependents (see C above).
5. Chapter 36 - Provides for designation of Louisiana State Department of Education as the approving agency. Also contains the criteria for approval of schools and courses with specific responsibilities of the State Approving Agency.

F. VAR or CFR - Veterans' Administration Regulation

G. NCD SCHOOLS - Schools that offer noncollege degree programs

H. IHL - An institution of higher learning that is approved to offer degrees. Hospitals are also classified as IHL for Veterans' Administration purposes.

I. PSO - Parish Service Officer who is an employee of the State and is employed by the Department of Veterans' Affairs. In Section IV of this pamphlet, there is a current listing of the parish service offices.

J. C/E - Certificate of Eligibility - VA Form 22-1993a

USE OF THE GUIDELINES

In preparing this pamphlet, we have omitted many of the details in respect to the laws, regulations, and procedures. This document contains information that should be helpful in the normal day-to-day problems that arise in schools in connection with the G. I. programs. If other questions arise, you should contact the State Approving Agency, Veterans' Administration, or Parish Service Office, depending on the nature of the problem.

The information is correct in keeping with present laws and regulations. Changes will occur from time to time as the laws and regulations change or as there is a change in interpretation. When this occurs, we plan to advise you of the changes.

The rules, regulations, and procedures applicable to veterans usually, unless an exception is noted, also apply to dependents and servicemen. Therefore, when the word "veteran" is used, it should be interpreted to include dependents and servicemen.

Officials in the New Orleans Regional Office have reviewed the pamphlet and concur in the contents.

SECTION I

NONCOLLEGE DEGREE (NCD) SCHOOLS

APPROVAL PROCEDURES -

Before the Veterans' Administration can authorize the payment of educational allowances, the school and courses offered must be approved by the State Approving Agency. Schools and courses are approved as accredited under Section 1775, Title 38, U. S. Code, and VAR 14253, or as nonaccredited under Section 1776, Title 38, U. S. Code, and VAR 14254. Additional information in respect to approval is found under Section III of the Guidelines. As part of the approval procedures, schools must agree to follow the requirements of the law. The following items have been discussed during the joint meetings:

A. Records Checklist -

The following records are required to be available at the school:

1. School Records -

a. Current approved catalog or bulletin
b. Copy of approval letter
c. Copy of all amendments to the approval or changes in the approval
d. 85-15 percent ratio--when veterans exceed 35 percent of the enrollment, the school should maintain each individual computation.

2. Individual Folders -

a. School's enrollment certification
b. State certificate of registration with Board of Cosmetology (beauty schools only)
c. Receipt indicating veteran has received:

(1) Regulation pertaining to attendance
(2) Schedule of tuition, fees, and other charges
(3) Course outline
(4) Grading policy
(5) Rules of operation and conduct

d. Record of previous education and training
e. Enrollment certification (VA Form 22-1999)
f. Change in student status (VA Form 22-1999b) when appropriate
g. Attendance records--individual folder or centralized system
h. Progress records--individual folder or centralized system
i. Record of tuition, fees, and other charges paid
j. Records of all refunds made
k. Copy of individual monthly certification letter sent to the VA (suggested procedure)

Reminder: Federal law requires that records pertaining to an individual veteran be maintained for three years following termination of his/her training.

B. Absentee Policy -

1. General--The VA is authorized to pay benefits to eligible veterans or dependents pursuing training in an approved school and course, provided they continue to make acceptable progress toward their chosen objective. Because of this requirement, schools are required to have an acceptable absentee policy and acceptable progress standards. Furthermore, each school is expected to maintain adequate attendance and progress records for review by VA and SAA personnel and for use in submission of reports to the VA.

2. Absentee Policy for Termination of VA Benefits--Each school has an absentee policy that has been approved by the SAA. These policies vary. For example: The State Vocational-Technical Schools have a policy approved by the Board of Elementary and Secondary Education. Other schools have a policy, sometimes referred to as the standard policy, that requires termination after five days of absences in a month, 15 days in six months, etc. Others have adopted the 10 percent policy that was suggested during the time that the VA was making advance and prepayment of benefits. Each school should review its absentee policy approved by the SAA and follow it. This includes records and the reporting of all absences on the monthly certification letter. Furthermore, the VA must be advised in a timely manner, preferably on VA Form 22-1999b, when a veteran has exceeded the days allowed by the absentee policy in order that VA benefits may be terminated. Show in "remarks" all absences that have not been reported since last certification period.

3. Absentee Policy for Pay Purposes--A veteran scheduled for five days attendance per week is allowed 30 days of absences during a 12-month period before deductions are made. He is allowed 24 days if attendance is scheduled for four days per week and 18 days for three days attendance per week, etc. If the course is less than 12 months, the allowable days are prorated.

The allowable absences referred to above include full days of absences, additional days of absences because of tardies and partial days of absences, and days on which the school is closed other than a State and Federal holiday and holidays taken in conjunction with them. Normally, the approved absentee policy for school specifies the procedure for converting tardies to full days. Many state that three tardies equal one day of absence. Others may specify four or five as equalling one day. Partial days of absences must be converted to full days. If appropriate records are maintained, the procedure is very simple. You merely add the total hours of absences and divide by the number of hours of attendance required per day. You will then arrive at the additional days of absences because of partial days. Normally, full days of absences, additional absences, and days that the school is closed other than State and Federal holidays or days associated with them are reported on the monthly certification letter.

In addition to legal holidays and weekends, up to five days in a 12-month period will not be counted as absences if the institution is not in session those days because of teacher conferences or teacher training sessions, and regularly scheduled classes would otherwise have been held.

If a school is closed under an established policy based upon an executive order of the President or because of an emergency, the closed days need not be reported, subject to the approval of the Director, VA Regional Office in New Orleans. If either of these conditions arise, the school should advise the VA in New Orleans of the closure, the reasons therefor, and request approval. If the Director approves, his letter so stating should be readily available to justify not reporting the closed days on the monthly certification letter.

MONTHLY CERTIFICATION CARDS -

The student's monthly certification card should be accurate. The veteran should be aware of the absences reported to the VA before he/she signs the card. A copy of the card should be kept in the individual's file. If this is not possible, notes as to what was reported to the VA should be maintained. Full days of absences should be reported at the top of the card. Under "remarks," additional days of absences for tardies and partial days of absences should be reported. Days on which classes are not held, other than State or Federal holidays and days in conjunction with these holidays, not to exceed five days for teacher conferences, must be shown on the card. For example: School vacation -- August 6, 1979-August 17, 1979 (10). If a school is closed at Christmas (normally not to exceed two weeks), at Thanksgiving (not to exceed one week), or at Easter (not to exceed one week), no entry should be made on the monthly certification. Other one-day State and Federal holidays would not be shown as closed days. Keep in mind that if classes are held on a State or Federal holiday, and the veteran does not attend, an absence should be reported. In some instances, when a school takes a three-week vacation, the school may choose to interrupt the veterans (22-1999b) and reenter them when they return after classes resume (22-1999).

NOTE: We understand that the VA will change from a quarterly certification effective August 1, 1984. At that time, we understand a computer letter will be furnished for certification of attendance purposes. It will require essentially the same information as now required on the card.

Excessive absences:

Days of Scheduled Attendance per Week	Rate of Reduction for Each Day of Excessive Absence
5 or more	1/25th
4	1/20th
3	1/15th
2	1/10th
1	1/5th

Examples of Completed Monthly Certification Cards

Example 1:

Approval: 5 hours per day, 5 days per week
5 tardies equal 1 day absence

Classes not held 9/28 (between terms)
Closed Labor Day 9/7/81
Closed Thanksgiving week 11/23 - 11/27/81
Closed Christmas 12/21/81 - 1/4/82

Partial absences in October were 6 hours. 1 extra day reported.
Tardies in November numbered 7. 1 extra day - drop 2 hours.
School was open November 11, but veteran was absent.

IMPORTANT - DO NOT COMPLETE, DATE OR SIGN PRIOR TO LAST DATE OF PERIOD TO BE CERTIFIED

FOR VA USE ONLY

1. DATES OF ABSENCES FOR EACH MONTH SHOWN IN ITEM 2	2. MONTHS TO BE CERTIFIED
10,24; C-28	9/2 - 9/30/81
*None	10/1 -10/31/81
*11	11/1 -11/30/81
None	12/1 -12/31/81

3. IF ATTENDANCE TERMINATED
A. DATE (mo., day, yr.) | B. REASON

4. CHANGES IN ATTENDANCE (If applicable)
A. EFFECTIVE DATE | B. NEW HOURS (per week) | C. NO. DAYS PER WEEK

D. REVISED ENDING DATE (mo., day, yr.) | E. TUITION CHGS. (In-service or less than 1/2 time students)

5. REMARKS *Oct.-1 day due to partial day
*Nov.-1 day due to tardies

6. NAME AND ADDRESS OF PAYEE
John J. Doe
1234 Great Street
Hometown, LA 55555

7. VETERANS ADMINISTRATION OFFICE
701 Loyola Avenue
New Orleans, LA 70113

A 12345678 | B 00 | C C | D 0000000 | E 00 | F 0

WE CERTIFY THAT THE ABOVE ENTRIES ARE TRUE AND CORRECT

8A. DATE 1/3/82 | 8B. SIGNATURE OF STUDENT John J. Doe

9A. DATE 1/4/82 | 9B. SIGNATURE AND TITLE OF CERTIFYING OFFICIAL C.E. Official, Director

NECC/MP-28478

NOTE: With the change to monthly certification, normally there will be only one month shown on the card. However, the first card received by the veteran after entry into training may have one, two, or possibly three months shown in Item 2.

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Example 2

Approval: 6 hours per day, 5 days per week, 3 tardies equal 1 day of absence.
School observed Federal holiday on Friday, 7/03/81. School on vacation from August 17 through August 28; however, week of August 17 through August 21, 1981, was teachers' institute.

Partial absences totaled 10 hours in May. This amounted to 1 full day and 4 hours (more than 1/2). Hence, 2 days reported in remarks.
Tardies in June - 2 - not reported or carried over.
Tardies in July - 4 - report 1 day in "remarks" and drop the extra tardy.

IMPORTANT - DO NOT COMPLETE, DATE OR SIGN PRIOR TO LAST DATE OF PERIOD TO BE CERTIFIED

READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING

1. DATES OF ABSENCES FOR EACH MONTH SHOWN IN ITEM 2	2. MONTHS TO BE CERTIFIED
*None	5/1-5/31/81
15	6/1-6/30/81
*None	7/1-7/31/81
C-24,25,26,27,28	8/1-8/31/81

3. IF ATTENDANCE TERMINATED
A. DATE (mo., day, yr.) B. REASON

4. CHANGES IN ATTENDANCE (If applicable)
A. EFFECTIVE DATE | B. NEW HOURS (per week) | C. NO. DAYS PER WEEK

D. REVISED ENDING DATE (mo., day, yr.) | E. TUITION CHGS. (In-service or less than 1/2 time students)

5. REMARKS *July-1 day for tardies
*May-2 days for partial days

6. NAME AND ADDRESS OF PAYEE
Mary J. Doe
1234 Great Street
Hometown, LA 55555

7. VETERANS ADMINISTRATION OFFICE
701 Loyola Avenue
New Orleans, LA 70113

A 12345678 | B 00 | C
D 0000000 | E 00 | F 0
WE CERTIFY THAT THE ABOVE ENTRIES ARE TRUE AND CORRECT.

8A. DATE 1/3/82
8B. SIGNATURE OF STUDENT Mary J. Doe

9A. DATE 1/4/82
9B. SIGNATURE AND TITLE OF CERTIFYING OFFICIAL C.E, Official, Director

FOR VA USE ONLY

NEEC/HP-35478

NOTE: If a veteran is scheduled to attend 3 days per week, you would report only 3 closed days in August on his Certification Card.

USE OF VA FORMS -

A. Enrollment Certification (22-1999) -- This is the form used for a school to certify the enrollment of a veteran in an approved course. The form is found on the reverse of the certification of eligibility, as a part of a veteran's application for benefits (22-1990), and on a separate manifold form (22-1999). All of these contain essentially the same information, even though the numbers for each block may vary. The information submitted on the enrollment certification must be accurate. Special attention should be given to the veteran's name, social security number, and in the case of a dependent, the appropriate VA number, and current address. The exact name of the approved course should be shown, and the block on prior education and training must be completed on the first enrollment in a course and when there is a change in the program. The first date that the veteran attends class is the beginning date of the course for him. The ending date is established in accordance with the approved length of the course, unless it is shortened because credit has been granted. The ending date should not be on a nonschool day. The enrollment certification form should be dated and signed by the certifying official of the school. It should not be dated, signed, and sent to the VA before the veteran actually attends his first school day, except in cases in which the veteran requests advance pay. The 22-1999 requesting advance pay must be signed by the veteran. This form should reach the VA at least five weeks before the veteran is scheduled to commence training.

B. Notice of Change in Student Status (22-1999b) -- In using this form to advise the VA to terminate benefits for any reason, such as lack of progress, misconduct, violation of the absentee policy, voluntary withdrawal, etc., it is advisable to show in the "remarks" section all absences not previously reported, including partial days and tardies converted to full days, just as you would show on the monthly certification letter. When a veteran is terminated for any reason other than lack of progress or misconduct, and there is reasonable certainty that he will reenter within 25 days, the following procedure is recommended to avoid unusual delays in the veteran's check: Hold the 22-1999b until the veteran reenters school, at which time an enrollment certification (22-1999) should be prepared. Staple the two forms together and send them to the VA. This will enable the VA to take termination action and reentry action at the same time. Keep in mind that the 22-1999b should show in the "remarks" section absences not previously reported, as referred to above.

The form should also be used to show a change in the hours of attendance per week and the revised ending date.

If the approved length of the course has changed, the form may be used to show the new ending date. An evaluation of each veteran's status should be made to determine the revised ending date.

C. Request for Change of Program or Place of Training (22-1995)--This form should be completed and signed by the veteran if he changes his place of training and/or program. The Parish Service Officer or the school may assist him in completing the form. It may be submitted to the VA prior to the change if he desires approval by the VA before the change is made. Often it is feasible for the 22-1995 to be furnished the VA along with the Enrollment Certificate (22-1999).

The 22-1995 is also required where the veteran requests the resumption of VA benefits after they have been terminated because of unsatisfactory progress or conduct (DVB Circular 22-80-38, Revised).

D. Designation of Certifying Official(s) (22-8794)--The VA uses this form in obtaining signature of the official(s) who are authorized to submit certifications to the VA. It should be updated when there is a change.

PROGRESS AND CONDUCT -

Prior to the passage of Public Law 96-466, October 17, 1980, and the issuance of DVB Circulars 20-80-38, 39, and regulation changes, a VA professional counselor determined if additional training benefits could be paid for a veteran or dependent after unsatisfactory progress or conduct was reported. This also applied to a second change of program. Under the new procedure, the adjudicator will make the determination based primarily upon the recommendations of the school's academic or vocational guidance counselors or designated school staff member.

The approval of each school should contain the grading system; the minimum satisfactory grade level; conditions for interruption of training because of unsatisfactory progress; a description of any probation period; conditions for a student's reentry following dismissal or suspension; and the conditions for dismissal because of unsatisfactory conduct. Probationary periods may be allowed but normally should not exceed two. The law requires that a periodic evaluation of a veteran's progress be made and the VA be notified timely once it is determined that progress is not being made according to the approved standards of the school. Unsatisfactory progress or conduct should be reported to the VA on VA Form 22-1999b. When this is done, the VA requires that all absences not previously reported on the monthly certification letter be included in the "remarks" section.

After educational assistance benefit payments have been terminated because of unsatisfactory progress or conduct, benefits cannot be resumed unless the VA finds the cause of the unsatisfactory progress or conduct has been removed and the program of education or training to be pursued by the veteran or dependent is suitable to the aptitudes, interests, and abilities of the student. (DVB Circular 22-80-38, Revised) If the veteran or dependent desires to be recertified to the VA and the school will accept the person as a student, a responsible school official such as a counselor, department head, or director should submit a recommendation to the VA indicating whether:

1) the cause of the unsatisfactory progress or conduct has been removed;
2) there is a reasonable likelihood the unsatisfactory progress or conduct will not recur; and
3) the program, whether the same or different, now being requested is suitable to the person's aptitude, interests, and abilities.

VA Form 22-1999 and 22-1995, with the above recommendation, should be submitted after the veteran has reentered training. It should be noted that a VA adjudicator and not a VA counselor now determines if benefits may be restored.

If the veteran or dependent requests VA counseling after unsatisfactory progress or conduct has been reported, the adjudicator will use the services of the VA counselor in determining whether additional benefits may be authorized. Even in these instances, the VA counselor would appreciate an evaluation by a school official.

PRIOR EDUCATION AND TRAINING -

Before a school can be approved, the law requires that an agreement be reached with the SAA that the school will keep a record of each veteran's prior education and training. The law further requires that the school evaluate a veteran's prior education and training and grant credit considered appropriate by the school. The credit allowed must be reported to the VA (VA Form 22-1999) in the appropriate block of the enrollment certification. The law also states that the veteran must be notified of the amount of credit allowed.

Also, when a veteran changes from one program to another, material covered in one program that is also found in a second program should not be repeated--in other words, some credit should be allowed. Obtaining the record of prior education and training may present a problem. When a veteran enters an NCD school, his statement on an appropriate school form that reflects his previous education and training will suffice. In the event the veteran has attended a college, it generally is not difficult for him/her to obtain a transcript which will reflect whether he has taken subjects comparable to some of the instruction given in an NCD school.

Occasionally, a school cannot determine the amount of credit to be allowed when the original certification is made to the VA. In such case, it is suggested that the school place the following in the credit allowance block: "Will furnish later." Then, within 30 to 60 days, when an evaluation is made, submit an amended certification to the VA.

The block "Credit Allowed for Previous Civilian or Military Training and Experience" should never be left blank. If no credit is granted, the word "none" should be entered in the space provided.

SCHEDULES AND CLOCK-HOUR MEASUREMENT FOR NCD COURSES -

A. Schedules -- The amount of education and training allowance that the VA pays a veteran for attending an NCD school is based on the clock hours of attendance per week. It is imperative that schools set forth in the data furnished the SAA the beginning and ending of the school day, the time taken for lunch, and the time taken for breaks. The schedule should show the hours per week required for full-time training and, if less than full-time training is given, should show the beginning and ending dates for three-quarter, half-time, and less than half-time training. Some of the schools have their schedules developed to coincide with the minimum number of hours required in the law for full-time, three-quarter, and half-time training. It is essential that all schedules followed by the schools be approved by the SAA. Hence, if there is a change in the schedule or the adoption of a new schedule, a request for approval should be sent to the SAA. Careful attention should be directed to the mathematical correctness of the schedules in order that the attendance per day times the days of attendance per week equals the total hours of attendance per week. Irregular schedules can be approved by the SAA if there is good justification. The VA pays on the basis of the hours of attendance per week. They are no longer authorized to pay benefits on the basis of averaging attendance from week to week. This is explained in VA Education Bulletin 81-2 that has been furnished the schools.

B. Clock-Hour Measurement--The following chart illustrates the clock-hour attendance per week for pay purposes in accordance with Public Law 95-202 that became effective February 1, 1978:

Training Time	ACCREDITED COURSES Theory	Shop	NONACCREDITED COURSES Theory	Shop	Max. Supv. Study Hrs.
Full-time	18 hrs. or more	22 hrs. or more	25 hrs. or more	30 hrs. or more	5 hours or fewer
3/4 time	13-17	16-21	18-24	22-29	3-3/4
1/2 time	9-12	11-15	12-17	15-21	2-1/2
Less than 1/2 more than 1/4	5-8	6-10	7-11	8-14	1-1/4
1/4 or less	1-4	1-5	1-6	1-7	None

In some instances in accordance with the law that became effective December 1, 1976, the measurement of nonaccredited courses in which theory predominates is made as follows:

Full-time--22 hours per week
Three-quarter time--at least 16 hours per week
Half-time--at least 11 hours per week

85-15 PERCENT RATIO REQUIREMENT -

School officials are responsible to ensure compliance with the 85-15 percent requirement for each course offered at the school. This determination must be made the day a veteran enrolls at the school in a course of study. (See item 12 under "Certifications" on the 22-1999.) If there is a particular course that has an enrollment of more than 85 percent veterans, additional veterans should not be certified to the VA. The 85-15 percent requirement does not apply to a dependent who enrolls. Once enrolled, the dependent becomes part of the veteran population for enrollment of additional veterans. If there is a question concerning this regulation, the school official should call the Education Liaison Representative at the VA Regional Office.

REFUND POLICY -

Each school approved by the SAA should have a refund policy in its catalog or other data that has been furnished. Normally, the refund policy for a school that is approved as accredited will be accepted and approved for VA purposes. In those schools approved as nonaccredited, the law specifies that the refund for veterans who terminate before the course is completed must be within 10 percent of the exact prorated amount. Financial records of the school should substantiate the amount of refund given.

ENROLLMENT LIMITATION -

The approval of each nonaccredited school contains a limitation as to the number of students who may be trained at one time. Emphasis is now being placed on this requirement of the law; therefore, during a supervisory visit by the SAA and a compliance visit by the VA, special attention will be directed to this requirement. In some schools, there is a need for this data to be updated. Therefore, it is suggested that each school approved as nonaccredited review the enrollment limitation found in its approval file. In some instances, schools have expanded their facilities since the enrollment limitation was set. If this is the case, an amended approval can be given upon request by the school.

PREVOCATIONAL TRAINING (STATE VOCATIONAL-TECHNICAL SCHOOLS) -

Many of the state vocational-technical schools have been approved for prevocational training. This training is not approved as a separate course, but is approved as part of the training for a vocational objective. If it is determined through counseling offered by the school that a veteran needs prevocational training (not to exceed six months) in order to enhance his/her chances of obtaining his/her chosen vocational goal, the additional months may be included in the certification (22-1999) furnished the VA. A school desiring approval for prevocational training, sometimes referred to as "special needs," should submit a request to the SAA, along with three copies of a brief course outline.

EXTENSIONS -

The law no longer provides authority for the VA to authorize a deviation from the approved length of a training program when measuring satisfactory progress. Since the VA can no longer authorize benefits in excess of the approved length of a program, any requests for an extension for an individual veteran should be submitted to the SAA for approval. Obviously, the SAA will need full justification for such extensions. It is not expected that these requests be routinely submitted for all veterans or be for a very long period. If the extension is too long, it would appear obvious that the veteran is not making

satisfactory progress and that the appropriate 22-1999b should be submitted to the VA. If too many extensions are needed for a particular program, consideration should be given to requesting the SAA to approve an increase in length.

There is another kind of extension that involves training in excess of a veteran's months of entitlement. In those cases in which a veteran has used all of his entitlement and is more than half through an NCD course, the VA automatically extends payments for nine weeks. This particular type of extension does not apply in the case of dependents.

COOPERATIVE TRAINING -

Cooperative training is defined by the VA as a full-time program of education consisting of phases of school instruction alternated with training in a business or industrial establishment, such training being strictly supplemental to the school instruction. Alternating periods may be a part-day in school and a part-day on the job or may be such periods which alternate on a daily, weekly, monthly, or term basis. Any school desiring approval for cooperative training should submit a request to the SAA. The request should include the information required by VAR 14233. (See Section III of this manual.)

OFF-CAMPUS SITES -

Some of the schools offer training at sites other than the location of the parent institution. The SAA should be furnished a list of these sites in order that appropriate action can be taken and a determination made as to whether these sites can be approved for VA purposes. Approval of such sites can create a problem, especially in the case of profit schools, because of the two-year period of operation requirement.

APPROVAL INFORMATION -

When a school is originally approved, the SAA evaluates all of the information submitted, inspects the facilities, and makes a determination that the criteria of approval and the requirements of the law are met. Obviously, when there are any changes in the original approval of the school, the SAA needs to be advised, in order that appropriate action may be taken in amending the approval. Below is a list of changes that is not all-inclusive. These changes should be reported to the SAA:

1. Change of ownership of a profit school
2. Change of directors

3. Names of new instructors with resumes of education and background (applicable to profit schools and schools approved as nonaccredited)
4. Change in location
5. Addition of new courses or deletions of courses previously approved. For new courses, three copies of the course outline, reflecting the major topics to be taught with the approximate length of time for each, should be submitted. Also, give the total number of hours and the length of the course in months.
6. Adjustments in the length of a previously approved course or a change in its title
7. Loss of accreditation or loss of approval by a state board
8. Where applicable, loss of approval of the State Proprietary School Commission

NOTE: When a request is submitted to the SAA for amending the approval of a school, the following certification should be included:

> The information furnished with the request for amending the school's approval is true and correct in content and policy.

SECTION II

INSTITUTIONS OF HIGHER LEARNING (IHL)

APPROVAL PROCEDURES -

Normally, accredited colleges, universities, and hospitals and the accredited courses they offer are approved for VA purposes under the authority found in Section 1775, Title 38, U. S. Code, and VAR 14253. Before 1976, the approval of these schools was very simple and easily accomplished. Traditionally, colleges and universities published catalogs on an annual basis. Catalogs normally contained pertinent information in respect to the programs, courses, grading system, rules and regulations pertaining to conduct, progress, etc. VAR 14253 in effect before 1976 contained only three requirements that one of these schools had to agree to in order for the SAA to approve the catalog, programs, and courses. Because of nationwide abuses in some of the colleges and universities, insofar as veterans' training is concerned, the VA found it necessary to change some of their regulations; and, subsequently, Congress found it necessary to amend the laws. Revised Section 1775, Title 38, U. S. Code, and revised VAR 14253 now must be followed in approving an IHL. The criteria of approval, with a few exceptions, are the same for IHLs as they are for approving a nonaccredited school. Additional information in respect to approval of an IHL will be found in Section III of this publication.

Beginning in 1975, joint meetings have been held with representatives from the IHLs, VA officials, and SAA officials. After each of these meetings, the topics discussed were summarized and each school was furnished a copy. The discussions in this publication will cover essentially the same material previously furnished by the VA or SAA.

CRITERIA OF APPROVAL -

CFR 21.4253, beginning on page 29 of this bulletin, contains the requirements that must be met for the SAA to approve an IHL and the courses offered for VA purposes.

The VA is not authorized to pay benefits when it is determined that a veteran or dependent is not making satisfactory progress toward his educational, vocational, or professional goal. It is essential that each institution monitor the progress of veterans and dependents and report to the VA when progress is unsatisfactory.

The following excerpt from DVB Circular 22-80-38, Revised September 30, 1982, that has been furnished each school is quoted. This should assist schools in complying with the requirements of the law and regulations. "A school's policy and regulations for standards of progress and conduct must define:

1) The school's grading system
2) The minimum satisfactory grade level
3) Conditions for interruption of training because of unsatisfactory grades or progress.
4) A description of any probationary period
5) Conditions for a student's reentrance/readmission following dismissal/suspension for unsatisfactory progress
6) Conditions for dismissal because of unsatisfactory conduct."

Nearly all IHLs have satisfied these conditions in their catalog and in criteria approved by the SAA.

Prior to the change in the laws and regulations, a VA counselor made the determination as to whether benefits could resume once satisfactory progress or conduct was reported. The VA adjudicator now makes the determination, and he relies to a great extent on the recommendations that are submitted by the institution in respect to removal of the cause, the reasonable likelihood that the unsatisfactory progress or conduct will not recur, and that the program of education now being requested is suitable to the person's aptitude, interests, and abilities. Each school was furnished a summary of the meetings we held in February 1981, at which time the changes in respect to unsatisfactory progress and conduct as well as second changes of program were discussed.

The criteria for monitoring progress for graduate training and professional training in universities and hospitals are not as specific and clear-cut as the criteria for undergraduate training. In the criteria of approval or the catalog approved by the SAA, there are, normally, rules set forth as to the requirements for satisfactory pursuit of the educational or professional goal. It is incumbent upon universities and hospitals to monitor progress of veterans in graduate or professional training and notify the VA when progress ceases to be satisfactory.

Certain conditions have to be met for a veteran to receive further benefits after unsatisfactory progress is reported to the VA. Many of the colleges have adopted a very effective procedure to assist worthy and sincere veterans who want to be recertified for training. Under this procedure a written notice similar to the following is sent to the veteran:

NAME:_____SS#_____DATE_____

Your progress is not satisfactory according to criteria approved for Veterans' Administration purposes. Because of the low grade, the VA has been notified to terminate your educational benefits for unsatisfactory progress.

The Veterans' Affairs Office is not authorized to recertify your enrollment to the VA until there is reasonable assurance that the cause for the unsatisfactory progress has been removed and that there is a reasonable likelihood the unsatisfactory progress will not recur. The program that you propose to reenter, whether the same or a different one, must be considered suitable to your aptitude, interests, and abilities.

We have counselors whose objectives are to help students make a realistic educational and vocational choice. If you want to be recertified to the VA for future benefits, it is suggested that you contact the appropriate school counselor and secure his assistance in completing the attached form. The completed form should be returned to the Veterans' Affairs Office; if appropriate, you will be recertified to the VA. The final determination of your entitlement to additional VA benefits will be made by the VA.

SUGGESTED FORM

TO: Veterans' Administration DATE_____

FROM:

SUBJECT: Request for Additional VA Benefits after Termination for Unsatisfactory Progress

Briefly give reasons for unsatisfactory progress. Have the reasons been removed, and do you think you can make at least the minimum grades required for graduation? If recertified to the VA, indicate whether you want to pursue your previous program or a different one.

_____
Signature of Veteran

Counselor's evaluation and recommendations after a conference with the veteran and a review of his records.

1. The cause for unsatisfactory progress was:

2. The cause for unsatisfactory progress has been removed: Yes____No_____
3. There is reasonable likelihood that unsatisfactory progress will not recur: Yes____No____
4. The associate degree program in _____is considered in keeping with the veteran's aptitudes, interests and abilities: Yes_____ No_____
5. Do not recommend immediate recertification for full-time training but would recommend recertification at three-quarter or one-half time.
6. If veteran wants to pursue training on his own for a semester or term and makes satisfactory grades, the counselor will recommend retroactive recertification to the beginning of the semester or term.
7. Other comments:

_____ _____
Signature of Counselor Date

PROGRAM OF EDUCATION -

A veteran desiring benefits for pursuing training in an IHL must have an educational or professional goal. The VA is authorized to pay benefits to an eligible veteran or dependent, as long as he is taking the subjects or courses that are required to reach the educational or professional goal. Normally, the catalog or brochure of an IHL indicates the curriculum to be followed in reaching an educational or professional goal. If not shown in the approved catalog or brochure, schools should provide the veteran with a listing of the specific series of courses to be followed toward reaching the desired goal. Schools should have a system to prevent a certification to the VA for courses or subjects that are not part of the veteran's chosen curriculum. A veteran cannot be paid for repeating a course he has passed which is counted as part of his degree program. He can, however, be paid for repeating a failed course.

ENROLLMENT PROCEDURE -

Whether on the reverse side of the certificate of eligibility, VA Form 22-1999, or as part of the veteran's application for benefits, VA Form 22-1990, the school is expected to certify to the VA information pertaining to his enrollment. It is essential that information furnished the VA on this form, especially in respect to the program he is following, contain the accurate beginning date and credit hours pursued.

PRIOR CREDIT -

The law requires that all schools maintain a record of a veteran's prior education and training. It further requires that when a student enters the school for the first time or changes a program, the prior training be evaluated and credit allowed as appropriate. The student and the VA should be advised of the credit allowed for the program the veteran is pursuing. This should be reported in the appropriate item of VA Form 22-1999. It is advisable to show the number of hours lost, i.e., the number of hours not creditable toward his current program. If there is a delay in the evaluation of the prior credit, this can be indicated on the enrollment certification and furnished at a later date. Difficulties have been found in some institutions that merely review the transcript and determine that a certain number of hours are acceptable, with no evaluation as to how many hours are acceptable for the degree the veteran is currently pursuing. This is not carrying out the intent of the law. The VA needs to have this information in order to determine whether there is a change of program involved. As you know each veteran is allowed one change without question. Subsequent changes require approval by a VA adjudicator but do not require VA counseling.

Change of Program:

a. A change of program is a change in student's educational, professional, or vocational objective which requires a like change in the courses which must be pursued in order to attain the new objective.

b. If one program is generally recognized as a prerequisite to, or required for entry into another program, there is no change of program upon entering the more advanced or higher level program.

c. A student may elect to change his or her objective without incurring a change of program if substantially all credits and experience previously acquired are transferable to the new program. The most common example of such an adjustment is a change from one degree objective to another, when no material loss of credit occurs because the courses the student has completed are mainly the general education courses that would be required for either degree (38 C.F.R. 21.4234).

A change of program is also involved when a veteran changes from one school to another if there is a material loss of credit even though he enters into the same program. Normally, changing from a higher degree, such as bachelor's, to an associate degree is considered a change of program.

In keeping with DVB Circular 22-80-37, the VA will rely upon the evaluation of the school official in "change of program" determinations. The VA considers the loss of more than 12 hours to be a material loss of credit and will charge the veteran with a change of program.

ATTENDANCE -

At one time, at the suggestion of the VA and the SAA, an attendance policy was written into all of the criteria. This policy varied slightly in some of the schools. However, basically, under this policy, the schools were required to notify the VA when "a veteran accumulated absences in excess of three times the number of times the class met per week." Some of the schools apparently did not have a great deal of difficulty in following this policy. However, in many instances, difficulties were encountered. Later, because of an amendment to the law, the SAA advised the colleges and universities that the attendance policy as approved in the criteria of approval would be deleted upon request. The schools were advised that, even though the attendance policy in the criteria was deleted, the law required that they have some system to determine when a veteran withdrew from all courses or ceased to attend any of the classes for which he had been certified.

After the change in policy was announced, some of the schools reverted to the attendance policy set forth in their catalogs and made certain modifications to determine the last date of attendance. It is emphasized that the policy approved for the school should be followed. If changes are desired, a request should be made to the SAA in order that appropriate action can be taken.

NOTICE OF CHANGE IN STUDENT STATUS (VA FORM 22-1999b) -

This is a multi-purpose form with which most are familiar. It is essential that the form be submitted to the VA on a timely basis when there is a change in the status of the veteran as previously reported on the enrollment certification. The change in status may be a change in credit hours being pursued, voluntary withdrawal from the school, ceasing to attend classes, termination for misconduct, unsatisfactory progress, etc.

KEEPING YOUR APPROVAL UPDATED -

When a new catalog is published, the SAA needs four copies. We have devised the following forms for IHLs to submit with the four catalogs. They are Application for Approval (VE-100), Approval Information (VE-102), and Off-Campus Sites (VE-103). The VE-102 form calls for the identification of what are sometimes referred to as nontraditional courses or programs. The applicable VA regulations for irregular courses such as cooperative training, independent study, and other practical training courses have previously been furnished. These regulations are also included as part of this manual. (See Section III.) Many degree programs include one or more courses in independent study, internship, practicum, etc. In the future, when the catalog and the degree programs have such nontraditional courses included in them, the school must advise the SAA that the applicable regulations have been met. For example: If it is an independent study course, you should refer to VAR 14280 and advise that the requirements are met. If the nontraditional course can be approved for VA purposes, the school will be advised in the approval letter. Then, when a veteran enrolls in one of these courses, it is essential that the nontraditional course be so identified, in order that the VA may pay the appropriate amount of benefits.

Many of the schools have listed in their catalogs what they determine to be cooperative programs. In order for the cooperative programs to qualify as VA cooperative, they must meet the requirements found in VAR 14233. Again, the schools should advise the SAA that their cooperative program meets these requirements, in which case the SAA will approve the program as cooperative. The enrollment document to the VA would reflect that the veteran is following this program.

The VA is now insisting that all off-campus sites where veterans are enrolled be approved and the VA notified when courses are taken at

the off-campus sites. This creates a multitude of problems for the school, the VA, and the SAA; however, we must try to resolve them. It is our plan to get a current list of all off-campus sites and notify the VA that they are approved. After we get this list, an approved site will not be removed from the list, even though courses may no longer be offered. However, when a new site is added, the SAA should be advised in order that it may be approved. Again, the VA expects that the enrollment document reflect the site where a course is being taken. Attention is called to the fact that this includes hospitals in which clinical training is given as part of the overall program, as is the case in some nursing and paramedical programs. If the hospital offering the clinical training happens to be out of state, the Louisiana SAA does not have the authority to approve such a site; however, we should be notified in order that appropriate action can be taken by the state involved.

LOUISIANA EXTENSIONS OF OUT-OF-STATE COLLEGES -

Several out-of-state colleges offer extension programs at various military bases in Louisiana. Under VA regulations, these extensions must have administrative capabilities and are considered separate entities of the parent institution for VA purposes. Hence, the various rules, regulations, and procedures for in-state colleges apply to these extensions.

VERIFICATION OF PURSUIT CARDS (VA FORM 22-6553) -

The VA Washington Office advises that, effective with the fall 1984 school year, schools will be required to certify enrollment each term. With the adoption of this procedure, the pursuit cards will no longer be used.

SECTION III

OTHER INFORMATION

VA COUNSELING -

VA counseling is no longer mandatory in cases of unsatisfactory progress or conduct and for subsequent changes of programs. Neither is it mandatory for dependents with eligibility under Chapter 35, Title 38, U.S.C. However, the VA still has available a very good counseling service primarily for disabled veterans. The VA counseling service is still available for other veterans and dependents if the individual requests counseling.

VA counseling is available at the VA Regional Office in New Orleans and the VA Center in Shreveport. The VA no longer has contract counseling service available at any of the colleges as in the past.

SCHOOL LIABILITY -

This is another area that is being emphasized by the VA. The rules and regulations have been changed in order to afford the schools "the due process" before holding them liable for overpayments to veterans that are not recovered from the veterans concerned. Overpayments caused by a school because of gross negligence in the submission of erroneous enrollment certification or failure to submit changes in the veteran's enrollment status in a timely manner could result in the school's being held liable.

SUPERVISORY VISITS (SAA) -

The VA contracts with the State Department of Education and reimburses for expenses involved in inspecting, supervising, and approving schools in Louisiana. The supervisor has the responsibility of working with school officials in order to assure that the approvals, in respect to courses, catalogs, criteria of approval, etc., are in order. He must check a sufficient number of records and offer suggestions where deficiencies are found, in order that the school will be in a position to comply with the law and regulations. The SAA's philosophy is that if we fulfill our responsibility, the compliance specialist will find very little wrong when making the compliance survey. Obviously, each of the schools has the responsibility of following the procedures found in the approved catalog and as set forth by the SAA and the VA.

COMPLIANCE SURVEYS (VA) -

Most of the schools are very familiar with the procedures followed by the VA in making compliance surveys. The primary purpose of the surveys is to assure that educational training allowances paid to

veterans are paid in accordance with the law. In accomplishing a compliance survey, VA specialists will direct their attention to the approval criteria, especially in respect to satisfactory progress and attendance. Violation of approval criteria is normally referred to the SAA for corrective action. Other provisions of the law for which the SAA is not responsible and the adjustment in training allowance caused by an error in reporting or the failure to report a reduction in the training time are handled by the compliance specialist. This compliance specialist is also charged with the responsibility of assisting schools in order to avoid difficulties in the future. In those cases in which approval criteria are not followed, the VA is obligated to report the deficiency to the SAA. Then a supervisor of the SAA will visit the school and assist with correction of deficiencies.

EXAMINATIONS OF RECORDS -

The Federal law, Section 1790, Title 38, U.S.C. and VAR 14209 provide for the following:

A. Availability of records: Notwithstanding any other provision of law, educational institutions must make the following records and accounts available to authorized government representatives:

   1. Records and accounts pertaining to veterans or eligible persons who received educational assistance

   2. Other student records necessary for the VA to ascertain institutional compliance with the requirements of the law

B. Type of records: Each school will, upon a request by duly authorized representatives of the government, make available for examination all appropriate records and accounts.

RETENTION OF RECORDS -

With reference to VAR 14209 (F), records and accounts pertaining to each period of enrollment of a veteran or eligible person will be kept intact and in good condition at the school for at least three years following the termination of such enrollment period. Longer retention will not be required unless a written request is received from the General Attorney's office or Veterans' Administration not later than 30 days prior to the end of the three-year period.

ACCEPTABLE EVIDENCE OF QUALIFYING SERVICE FOR PROCESSING EDUCATIONAL CLAIMS (DD-214) -

Pertinent portions of Education Bulletin 79-3, dated July 3, 1979, are quoted for your information and guidance:

Only the following documentary evidence of military service submitted after separation from service with an original claim for benefits under 38 U.S.C., Chapter 34, will be considered adequate evidence of service for eligibility determinations:

(1) In some instances servicemen are issued original applications (VA Form 22-1990V) at the time of separation. They should be encouraged to submit the VA Form 22-1990V and to use that application form when applying for benefits; this form will minimize the need to verify service through the National Personnel Records Center.

(2) The original (copy 1) of DD Form 214 or equivalent forms issued by the PHS (Public Health Service) and NOAA (National Oceanic and Atmospheric Administration will be photocopied by a VA employee, authenticated as a copy of the original document, and returned to the claimant. Original service documents will be afforded special handling by VA employees to ensure against defacement, loss, or mutilation.

(3) The carbon copy number 4 of the claimant's original DD Form 214 is acceptable.

(4) A copy or abstract of the DD Form 214 or equivalent, which has been certified by a local or State government official whose office recorded the original service document, is acceptable.

(5) Dependency documents should also be certified by a local or State government official whose office recorded the original service document.

ENTITLEMENT AND DELIMITING DATES -

The maximum entitlement for a veteran is 45 months. For those who served less than 18 months, the amount of entitlement is one and one-half times the number of months on active duty. The amount of entitlement for dependents under Chapter 35 is 45 months.

The delimiting date for using a veteran's entitlement is 10 years from his date of release from active duty. Under certain conditions the 10-year period can be extended. Requests for extensions should be sent to the VA. The delimiting date for a wife or widow

under Chapter 35 is 10 years. Normally, this is considered from the date entitlement was established. There are many variations in the delimiting date for children of veterans under Chapter 35; however, in no circumstances can training be provided beyond the age of 31 years.

Charges against entitlement by the VA are now based on the principle that a veteran or eligible person who trains full time and receives full-time benefits will be charged entitlement for the entire length of time he is training. Entitlement charges for less than full-time training will be prorated. Previously, charges against entitlement were made on a quarter-month basis, as shown on page 18 of the 1979 Bulletin 1553.

NONTRADITIONAL COURSES -

Many of the colleges and universities have listed in their catalog nontraditional courses. In most instances, the VA can pay veterans an education and training allowance while they are pursuing standard degree programs that include other courses. However, there are certain requirements that must be met in order for a school to certify a veteran for benefits when the program includes nontraditional courses such as Independent Study, Internship, Externship, Residency, Practicum, etc.

I. Independent Study Leading to Standard College Degree, VAR 14280 (IHL) -

An independent study course is one that is not offered through regularly scheduled classrooms and/or laboratory sessions. However, cooperative courses (VAR 14233), student teaching, and graduate research are not considered independent study for VA purposes.

Indpendent study courses listed in a school's catalog should be identified on VE-102 when requesting approval of a catalog.

A course or subject offered through independent study or an independent study-residence must be approved as such by the State Approving Agency.

II. Other Practical Training Courses, VAR 14265(F) (IHL and NCD) -

1. Other off-campus job experience included in a school course, variously described by schools as internship, residency, practicum, externship, et cetera, may be included as a part of a cooperative program when the course meets the requirements of VAR 14233(A).

2. However, such off-campus courses may be considered as resident institutional training only if all of the following conditions are met. The course is...

   a. Accredited by a nationally recognized accrediting agency or is offered by a school that is accredited by one of the regional accrediting associations;

   b. A part of the approved curriculum of the school;

   c. Directly supervised by the school;

   d. Measured in the same unit as other courses;

   e. Required for graduation; and

   f. Has a planned program of activities described in the school's official publication which is approved by the State approving agency and which is institutional in nature as distinguished from training on-the-job. The description shall include at least:

      (1) A unit subject description;

      (2) A provision for an assigned instructor;

      (3) A statement that the planned program of activities is controlled by the school, not by the officials of the job establishment;

      (4) A requirement that class attendance on at least a weekly basis be regularly scheduled to provide for interaction between instructor and student;

      (5) A statement that appropriate assignments are required for completion of the course;

      (6) A grading system similar to the system used for other resident subjects offered by the school; and

(7) A schedule of time required for the training which demonstrates that the student shall spend at least as much time in preparation and training as is normally required by the school for its other resident courses. (June 21, 1976)

III. Cooperative Programs, VAR 14233 (IHL and NCD) -

A. Cooperative Courses. A full-time program of education consisting of phases of school instruction alternated with training in a business or industrial establishment with such training being strictly supplemental to the school instruction may be approved. Alternating periods may be a part-day in school and a part-day on job or may be such periods which alternate on a daily, weekly, monthly or on a term basis. For purposes of approval the school offering the course must submit to the State approving agency, with its application, statements of fact showing at least the following: (June 21, 1976)

1. That the alternate in-school periods of the course are at least as long as the alternate periods in the business or industrial establishment; (in determining this relationship between the two components of the course, training received in a business or industrial establishment during a vacation or officially scheduled school break period shall be excluded from the calculation;) where the course is approved as continuous part-time work and part-time study in combination, it shall be measured on the basis of the ratio which each portion of the training bears to full time as defined in VAR 14270(b). The institutional portion must be at least equivalent to one-half time training and must be combined with a job training portion sufficient for the combined training to equal full time.

2. That the course is set up as a cooperative course in the school catalog or other literature of the school;

3. That the school itself arranges with the employer's establishment for providing the alternate on-job periods of training on such basis that the on-job portion of the course will be training in a real and substantial sense and will supplement the in-school portion of the course;

4. That the school arranges directly with the employer's establishment for placing the individual student in that establishment and exercises supervision and control over the student's activities at the establishment to an extent that assures training in a true sense to the student; and

5. That the school grants credit for the on-job portion of the course for completion of a part of the work required for granting a degree or diploma. (38 U.S.C. 1682(a)(2) and 1732(b)) (March 3, 1966)

APPROVAL CRITERIA FOR SCHOOLS APPROVED AS ACCREDITED (CFR 21.4253)

A. General. A course may be approved as an accredited course if it meets one of the following requirements:

1. The course has been accredited and approved by a nationally recognized accrediting agency or association. "Candidate for Accreditation" status is not a basis for approval of a course as accredited. (Aug. 6, 1975)

2. Credit for such course is approved by the State department of education for credit toward a high school diploma. (Oct. 24, 1972)

3. The course is conducted under 20 U.S.C. 11-29 (vocational education).

4. The course is accepted by the State department of education for credit for a teacher's certificate or teacher's degree. (38 U.S.C. 1775) (Mar. 3, 1966)

B. Course Objective. Any curriculum offered by an educational institution which is a member of one of the nationally recognized accrediting agencies or associations and which leads to a degree, diploma, or certificate will be accepted as an accredited course when approved as such by the State approving agency. Any curriculum accredited by one of the specialized nationally recognized accrediting agencies or associations and which leads to a degree, diploma, or certificate will also be accepted as an accredited course when approved as such by the State approving agency. Approval of the individual subjects, required or elective, which are designated as a part of a degree curriculum will not be necessary. Such approval may include noncredit subjects that are prescribed as a required part of the curriculum. The course objective may be educational (high school diploma or a standard college degree) or it may be vocational or professional (an occupation). (Aug. 6, 1975)

C. Accrediting Agencies. A nationally recognized accrediting agency or association is one that appears on the list published by the (Secretary) of Education as required by 38 U.S.C. 1775(a). The State approving agencies may (use) the accreditation of (these) accrediting agencies or associations for approval of the course

specifically accredited and approved by (the) agency or association. ((38 U.S.C. 1775)) (Aug. 1, 1983)

D. School Qualification. A school desiring to enroll veterans or eligible persons in accredited courses will make application for approval of such courses to the State approving agency. The State approving agency may approve the application of the school when the school and its accredited courses are found to have met the following criteria and additional reasonable criteria established by the State approving agency:

1. The institution has submitted to the State approving agency copies of its catalog or bulletin which is certified as true and correct in content and policy by an authorized representative and the publication contains:

   (i) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student), and

   (ii) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct. (Dec. 1, 1976)

2. Adequate records are kept by the school to show the progress of each veteran or eligible person. The records must be sufficient to show continued pursuit at the rate for which enrolled and the progress being made. They must include final grade in each subject for each term, quarter, or semester; record of withdrawal from any subject to include the last date of attendance for a resident course; and record of reenrollment in subjects from which there was a withdrawal; and may include such records as attendance for resident courses, periodic grades and examination results.

APPROVAL CRITERIA FOR SCHOOLS APPROVED AS NONACCREDITED (VAR 14254) -

A. General. Nonaccredited courses are courses which are not approved as accredited courses and which are offered by a public or private, profit or nonprofit educational institution. These include nonaccredited courses offered by extension centers or divisions, or vocational or adult education departments of institutions of higher learning. (Mar. 3, 1966)

B. Application. Any school desiring to enroll veterans or eligible persons in courses approvable under Section 1776, Title 38, U.S.C., will submit a written application to the State approving agency for approval of such courses. The application will be accompanied by three copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner/official of the school and will include the following:

1. Identifying data, such as volume number and date of publication

2. Names of the school and its governing body, officials, and faculty

3. A calendar of the school showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates

4. School policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course

5. School policy and regulations relative to leave, absences, class cuts, makeup work, tardiness, and interruption for unsatisfactory attendance

6. School policy and regulations relative to standards of progress required of the student. This policy will define the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, and a description of the probationary period, if any, allowed by the school, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the school and furnished the student.

7. School policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct.

8. Detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges

9. Policy and regulations relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course, or withdraws, or is discontinued therefrom

10. A description of the available space, facilities and equipment

11. A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit

12. Policy and regulations relative to granting credit for previous education and training (38 U.S.C. 1776(b))

C. Approval Criteria. The appropriate State approving agency may approve the application of such school when the school and its courses are found upon investigation to have met the following criteria:

1. The courses, curriculum, and instruction are consistent in quality, content, and length with similar recognized accepted standards.

2. There is in the school adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

3. Educational and experience qualifications of directors, administrators, and instructors are adequate.

4. The school maintains a written record of the previous education and training of the veteran or eligible person and clearly indicates that appropriate credit has been given for previous education and training, with the training period shortened proportionately, and the veteran or eligible person and the VA so notified.

5. A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absences, grading policy, and rules of operation and conduct will be furnished the veteran or eligible person upon enrollment.

6. Upon completion of training, the veteran or eligible person is given a certificate by the school indicating the approved course and indicating that training was satisfactorily completed.

7. Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

8. The school complies with all local, city, county, municipal, State and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

9. The school is financially sound and capable of fulfilling its commitments for training.

10. The school does not use advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The school will not be deemed to have met this requirement until the State approving agency:

    a. Has ascertained from the Federal Trade Commission whether the Commission has issued an order to the school to cease and desist from any act or practice.

11. The school does not exceed its enrollment limitations as established by the State approving agency.

12. The school's administrators, directors, owners, and instructors are of good reputation and character.

13. The school either--

    a. Has and maintains a policy for the pro rata refund of the unused portion of tuition, fees and charges if the veteran or eligible person fails to enter the course or withdraws or is discontinued from it before completion, or

    b. Has obtained a waiver of this requirement. See VAR 14255 (Oct. 17, 1981).

14. Such additional reasonable criteria as may be deemed necessary by the State approving agency. (38 U.S.C. 1776(c)) (June 25, 1968)

SECTION IV

MISCELLANEOUS

TELEVISION COURSES (CFR 21.4233) -

A program may be pursued in part by open circuit telecast when:

1. The veteran or eligible person is enrolled as a resident student in a program leading to a standard college degree, and

2. The subjects taken by telecast are integral parts of his/her degree program.

A student will always be required to take at least one subject concurrently by resident training in order to receive payment for any open-circuit TV subjects.

A program pursued through closed circuit telecast which requires regular classroom attendance is to be recognized to the same extent as regular classroom and for laboratory instruction.

§21.4136 Rates—educational assistance allowance—38 U.S.C. Ch.34.

(a) *Rates.* [ ] Educational assistance allowance is payable at the following monthly rates effective October 1, [1981]:

TYPE OF COURSES	MONTHLY RATE			
	No Dependents	One Dependent	Two Dependents	Additional for Each Additional Dependent
Institutional—Full time	$342	$407	$464	$29
3/4 time	257	305	348	22
1/2 time	171	204	232	15
Less than 1/2 but more than 1/4 time [1]	See paragraph (b)			
1/4 time or less [1]	See paragraph (b)			
	86			
Cooperative, other than farm cooperative (full time only)	$276	$323	$367	$21
Apprentice or On-Job (full time only but see footnote 2 below.)				
Payment Designated Training Assistance Allowance:				
1st 6 months	$249	$279	$305	$13
2d 6 months	186	217	243	13
3d 6 months	124	155	180	13
4th 6 months and succeeding periods	62	92	119	13
Correspondence	[55] percent of the established charge for number of lessons completed by the veteran and serviced by the school[1]—Allowance paid quarterly. (See §21.1045(g).) (Oct. 1, 1981)			

[1] *Established charge means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost for the eligible veteran, whichever is the lesser. Enrollments before January 1, 1973, will receive 100 percent of the established charges. Enrollments after December 31, 1972, and before September 2, 1980, will receive 90 percent of the established charges provided the student remains continuously enrolled in his or her program. [Those veterans and servicepersons who are not entitled to receive 90 percent of the established charges will receive 70 percent of the established charges for all lessons they complete and submit to the educational institution before October 1, 1981.] The VA considers the continuity of an enrollment broken when there are more than 6 months between the servicing of lessons. [Pub. L. 97-35, sec. 2004(b).] (Oct. 1, 1981)*

[2] *See footnote 5 of §21.4270(b) for measurement of full time and paragraph (a) of this section for proportionate reduction in award for completion of less than 120 hours per month. (Feb. 1, 1978)*

[3] *If a veteran under chapter 34 receiving benefits under §21.4280(b)(2) completes his or her program before the designated completion time, his or her award will be recomputed to permit payment of tuition and fees not to exceed $171 or $86, as appropriate per month if the maximum allowance is not initially authorized. (Oct. 1, 1980)*

BEST COPY AVAILABLE 35

§21.4137 Rates—educational assistance allowance—38 U.S.C. ch. 35.

(a) *Rates.* Educational assistance allowance is payable at the following [ ] rates [effective October 1, 1981]:

TYPE OF COURSES	MONTHLY RATE
Institutional:	
Full time	$342
3/4 time	257
1/2 time	171
Less than 1/2 but more than 1/4 time [1]	171
1/4 time or less [1]	86
Cooperative (other than farm cooperative) (full time only)	276
Apprentice or On-Job (full time only, but see footnote 1 below) Payment designated Training Assistance Allowance	
1st 6 months	249
2d 6 months	186
3d 6 months	124
4th 6 months and succeeding periods	62
Farm Cooperative	
Full time	276
3/4 time	207
1/2 time	138 (Jan. 1, 1981)
Correspondence	[55] percent of the established charge for number of lessons completed by eligible [spouse] or surviving spouse and serviced by the school[2]—Allowance paid quarterly. (38 U.S.C. 1786, Pub. L. 97-35) (Oct. 1, 1981)

[1] *See footnote 5 of §21.4270(b) for measurement of full time and paragraph (f) of this section for proportionate reduction in award for completion of less than 120 hours per month.* [Dec. 1, 1976

[2] *Established charge means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost for the eligible spouse or surviving spouse, whichever is the lesser. Eligible spouses or surviving spouses who enroll before September 2, 1980, will receive 90 percent of the established charges, provided the student remains continuously enrolled in his or her program.* [*Those spouses and surviving spouses who are not entitled to receive 90 percent of the established charges will receive 70 percent of the established charges for all lessons they complete and submit to the educational institution before October 1, 1981.*] *The VA considers the continuity of an enrollment to be broken when there are more than 6 months between the servicing of lessons.* [*Pub. L. 97-35, sec. 2004(b)*] (Oct. 1, 1981

[3] *If an eligible person under chapter 35 receiving benefits under paragraph (n) of this section completes his or her program before the designated completion time, his or her award will be recomputed to permit payment of tuition and fees not to exceed $164 or $82 as appropriate per month, effective October 1, 1980, and $171 or $86 as appropriate per month, effective January 1, 1981, if the maximum allowance is not initially authorized.* [*38 U.S.C. 1732(c)(3), Pub. L. 95-202, Pub. L. 96-466*] (Oct. 1, 1980 and Jan. 1, 1981)

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Regional Office

701 Loyola Avenue
New Orleans, LA 70113

Veterans Administration

JUL 2 5 1983

In Reply Refer To: 321/272A

TO: INSTITUTIONS OF HIGHER LEARNING

EDUCATION BULLETIN 83-2

SUBJECT: STANDARD CLASS SESSIONS

It has recently been brought to our attention that some schools may not be aware of the requirement that standard class sessions (SCS) must be entered on Enrollment Certifications (VA Form 22-1999) in certain situations for undergraduate programs. Block 11B must show the number of SCS when the period of enrollment is less than a standard quarter or semester or if the certified term has less SCS than credit hours.

In order to clarify the purpose and intent of this requirement, the following definitions are provided:

A. Quarter: A division of the ordinary school year, usually a period from 10 to 13 weeks.

B. Semester: A division of the ordinary school year, usually a period from 15 to 19 weeks long.

C. Standard Class Session: The amount of time a student is scheduled in the school's standard length term to spend in class per week for one quarter or one semester hour of credit. Normally, but not necessarily, a SCS is not less than 1 hour (or 50 minute period) of academic instruction, 2 hours of laboratory training or 3 hours of workshop. (It follows that the length of a standard class session is determined by the school's own academic practices which establish a normal length, not an average length, for each type of class session based on the majority of the school's regularly scheduled programs. Generally, special class schedules for independent study programs, so-called accelerated programs, and night programs should not be considered in determining the length of a standard class session.)

If a school conducts a term shorter than a normal quarter or semester or when the equivalent of a SCS per week for each credit hour granted is not scheduled, the enrollment certifications should report the number of such weekly sessions along with the number of credit hours.

This principle does not apply to courses dealt with in other VA regulations in a manner which would obviously conflict with its literal application. Consequently, graduate instruction, independent study, work experience courses, and cooperative courses are not subject to this provision.

In certain instances, veterans and eligible persons may receive full time benefits throughout an entire enrollment period even though weekly class instruction is not scheduled. Information in this regard may be obtained by contacting Warren M. Jones at (504) 589-6488.

Warren M. Jones
WARREN M. JONES
Education Liaison Representative

John P. Clarke
JOHN P. CLARKE
Veterans Services Officer

PARISH SERVICE OFFICES

PARISH	ADDRESS	TELEPHONE
Acadia	601 N. Parkerson Ave. P. O. Box 806 Crowley, LA 70527-0806	318/783-0566
Allen	Drawer 430 2nd Floor, South End Courthouse Oberlin, LA 70655	318/639-4370
Ascension	P. O. Box 1227 Room 106, Courthouse Gonzales, LA 70737	504/644-7475
Assumption	P. O. Box 175 Courthouse Annex Napoleonville, LA 70390	504/369-6335
Avoyelles	Courthouse Ground Floor Marksville, LA 71351	318/253-9437
Beauregard	P. O. Box 236 2nd Floor, Courthouse DeRidder, LA 70634	318/463-7305
Bienville	Room 109, Courthouse Arcadia, LA 71001	318/263-8350
Bossier	P. O. Box 5337 City Hall Bossier City, LA 71111	318/424-8820 424-8821
Caddo	P. O. Box 3843 City Hall Annex 1237 Murphy Street Shreveport, LA 71101	318/226-7540 LINC 521-7540
Calcasieu	Ground Floor, Courthouse 1000 Ryan Street Lake Charles, LA 70601	318/439-8047
Caldwell	P. O. Box 337 2nd Floor, Courthouse Columbia, LA 71418	318/649-2552

Cameron	P. O. Box 425 Room 33, Courthouse Cameron, LA 70631	318/775-5455
Catahoula (Itinerant service each Tuesday by Concordia PSO)	Jonesville (mornings) School Board Office Harrisonburg (afternoon) Courthouse	318/339-7997 318/744-5411
Claiborne	Room 205, City Hall Homer, LA 71040	318/927-2225
Concordia	P. O. Box 7 Old City Hall Bldg. 202 N. 2nd Street Ferriday, LA 71334	318/757-4952
DeSoto	Courthouse 101 Texas Street Mansfield, LA 71052	318/872-4325
E. Baton Rouge	4560 North Blvd. Suite 116, Medical Center, E. Baton Rouge, LA 70896	504/925-7268
East Carroll	P. O. Box 301 Ground Floor Old Courthouse Bldg. Lake Providence, LA 71254	318/559-2353
East Feliciana	P. O. Box 8099 Police Jury Complex Main Bldg., Silliman Street Clinton, LA 70722	504/683-5326
Evangeline	P. O. Box 238 2nd Floor, Courthouse Ville Platte, LA 70586	318/363-3862
Franklin	P. O. Box 81 Room 121, Courthouse Winnsboro, LA 71295	318/435-5604
Grant	P. O. Box 38 Ground Floor Old Bank Bldg. Colfax, LA 71417	318/627-5408
Iberia	P. O. Box 356 Courthouse Annex Room 308 New Iberia, LA 70561-0356	318/364-1433

Iberville	Room 10, Parish Ag. Bldg. 420 Peters Street Plaquemine, LA 70764	504/687-2714
Jackson	P. O. Box 547 Room 211, Courthouse Jonesboro, LA 71251	318/259-2100
Jefferson (W. Bank)	P. O. Box 243 Room 812, New Courthouse Gretna, LA 70053	504/367-6611 ext. 365
Jefferson (E. Bank)	536 Deckbar Avenue Jefferson, LA 70121 P. O. Box 801 Metairie, LA 70004	504/834-8780

NOTE: All correspondence on Jefferson Parish cases and other matters will be addressed to the Gretna office. The East Bank office address and telephone number are for use only in referring an East Bank veteran for service or making a telephone call concerning such a veteran.

Jeff Davis	Room 105, First Floor Courthouse Jennings, LA 70546	318/824-4435
Lafayette	P. O. Box 2825 Ground Floor War Memorial Bldg. Lafayette, LA 70502	318/235-6501
Lafourche	305 West Third Street Thibodaux, LA 70301	504/447-3978
LaSalle	P. O. Box 53, Room 21 Courthouse Jena, LA 71342	318/992-2259
Lincoln	P. O. Box 338 Third Floor Courthouse Ruston, LA 71273-0338	318/255-1523
Livingston	P. O. Box 97, 2nd Floor Old Courthouse Livingston, LA 70754	504/686-2336
Madison	P. O. Box 909 216 North Cedar Tallulah, LA 71282	318/574-3870
Morehouse	P. O. Box 831 Courthouse Annex 129 North Franklin Bastrop, LA 71220	318/281-5020

Natchitoches	P. O. Box 136 Room 106, Old Courthouse Natchitoches, LA 71458-0136	318/352-2232
Orleans	Room 322 2400 Canal Street New Orleans, LA 70119	504/821-4931 LINC 621-4943
Ouachita	P. O. Box 866 Basement, Courthouse 300 St. John Street Monroe, LA 71201	318/322-5470
Plaquemines	P. O. Box 325 Room 13, West Bldg. Port Sulphur, LA 70083	504/564-3371
Pointe Coupee	P. O. Box 291 Room B, 206 Court Street New Roads, LA 70760	504/638-7624
Rapides	P. O. Drawer 1870 730 Washington Street Alexandria, LA 71301	318/487-5743 LINC 221-5743
Red River	P. O. Box 711 507 East Carroll Street Coushatta, LA 71019	318/932-4911
Richland	P. O. Box 428 Room 402, Courthouse Rayville, LA 71269	318/728-2472
Sabine	400 Capital Street 2nd Floor, Courthouse Many, LA 71449	318/256-3532
St. Bernard	P. O. Box 365 2nd Floor, Courthouse Annex Chalmette, LA 70044	504/271-2662
St. Charles	P. O. Box 117 Room 276, Courthouse Hahnville, LA 70057	504/783-2221
St. Helena	P. O. Box 600 Courthouse Square Greensburg, LA 70441	504/222-6202
St. James	P. O. Box 465 St. James Neighborhood Center Lutcher, LA 70071	504/869-3643

St. John	P. O. Box 157 Room 108, Percy D. Hebert Building LaPlace, LA 70068	504/652-5213
St. Landry	P. O. Box 583 St. Landry Parish Public Service Center Opelousas, LA 70571-0583	318/942-2336
St. Martin	Room 201, Courthouse St. Martinville, LA 70582	318/394-3247
St. Mary	P. O. Box 297 Room 104, Courthouse Franklin, LA 70538	318/828-5047
St. Tammany	P. O. Box 754 Boston Street, Room 310 St Tammany Exec. Plaza Covington, LA 70434	504/892-2050
Tangipahoa	P. O. Box 3026 Room 205, City Hall Hammond, LA 70404	504/345-5040
Tensas	P. O. Box 157 106 Newton Street St. Joseph, LA 71366	318/766-3703
Terrebonne	P. O. Box 974 Third Floor Courthouse Houma, LA 70361	504/872-1310
Union	P. O. Box 211 2nd Floor, Courthouse Farmerville, LA 71241	318/368-3271
Vermillion	P. O. Box 247 2nd Floor, Courthouse Abbeville, LA 70510	318/893-2072
Vernon	P. O. Box 1524 NE Corner Courthouse Square Leesville, LA 71446	318/239-3798
Washington	P. O. Box 879 131 Memphis Street Bogalusa, LA 70427	504/732-4411

Webster	P. O. Box 746 American Legion Memorial Home 119 Pine Street Minden, LA 71055	318/377-6181
W. Baton Rouge	P. O. Box 292 Courthouse Annex Port Allen, LA 70767	504/342-6686 LINC 421-6686
West Carroll	P. O. Box 308 First Floor, Courthouse Oak Grove, LA 71263	318/428-2671
W. Feliciana (Itinerant Service each Wednesday by Pointe Coupee PSO)	P. O. Box 549 Old High School St. Francisville, LA 70775	504/635-3583
Winn	P. O. Box 135 Basement, Room 4 Courthouse Winnfield, LA 71483	318/628-4584

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